
HOUSE BILL No. 1599

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-27; IC 25-35.6.

Synopsis: Speech pathologists and audiologists. Amends several definitions concerning speech-language pathology and audiology. Requires licensure of speech-language pathology aides and assistants (speech-language pathology support personnel). Amends licensure requirements of speech-language pathologists, speech-language pathology support personnel, and audiologists. Requires an audiologist to possess a doctorate degree after December 1, 2006. Allows the professional standards board to issue credentials to certain speech language professionals. Allows certified speech-language pathologists and audiologists who meet certain requirements to be considered to have a National Board of Professional Teaching Standards certification. Amends reciprocity licensure requirements for audiologists. Requires speech-language pathology support personnel to practice under the supervision of a board approved speech-language pathologist. Requires licenses to be displayed. Makes conforming changes.

Effective: July 1, 2005.

Lehe, Koch

January 18, 2005, read first time and referred to Committee on Employment and Labor.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1599

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 16-27-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. As used in this chapter, "health care professional" means any of the following:

- (1) A licensed physician.
- (2) A licensed dentist.
- (3) A licensed chiropractor.
- (4) A licensed podiatrist.
- (5) A licensed optometrist.
- (6) A nurse licensed under IC 25-23-1.
- (7) A physical therapist licensed under IC 25-27 or a physical therapy assistant certified under IC 25-27.
- (8) A speech language pathologist or an audiologist licensed under IC 25-35.6-3.
- (9) ~~A~~ Speech language pathology ~~aide~~ **support personnel licensed under 25-35.6-3** or an audiology aide ~~(as defined in IC 25-35.6-1-2)~~ **registered under IC 25-35.6-2-2.**
- (10) An:



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(A) occupational therapist; or
 (B) occupational therapist assistant;
 certified under IC 25-23.5.

(11) A social worker licensed under IC 25-23.6 or a social work assistant.

(12) A pharmacist licensed under IC 25-26-13.

SECTION 2. IC 16-27-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. As used in this chapter, "health care professional" means any of the following:

(1) A licensed physician or a physician's assistant (as defined in IC 25-22.5-1-1.1).

(2) A dentist licensed under IC 25-14.

(3) A chiropractor licensed under IC 25-10-1.

(4) A podiatrist licensed under IC 25-29.

(5) An optometrist licensed under IC 25-24.

(6) A nurse licensed under IC 25-23-1.

(7) A physical therapist licensed under IC 25-27 or a physical therapy assistant certified under IC 25-27.

(8) A speech language pathologist or an audiologist licensed under IC 25-35.6-3.

(9) ~~A~~ Speech language pathology ~~aide~~ **support personnel licensed under 25-35.6-3** or an audiology aide ~~(as defined in IC 25-35.6-1-2)~~ **registered under IC 25-35.6-2-2.**

(10) An:

(A) occupational therapist; or

(B) occupational therapist assistant;
 certified under IC 25-23.5.

(11) A social worker licensed under IC 25-23.6 or a clinical social worker licensed under IC 25-23.6.

(12) A pharmacist licensed under IC 25-26-13.

SECTION 3. IC 25-35.6-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) As used in this article, "board" means the speech-language pathology and audiology board established by this article.

(b) As used in this article, "person" means any individual, organization, or corporate body, except that only an individual may be licensed under this article.

(c) As used in this article, "speech-language pathologist" means an individual who practices speech-language pathology and who presents himself to the public by any title or description of services incorporating the words speech pathologist, speech-language pathologist, speech therapist, speech correctionist, speech clinician,

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language pathologist, language therapist, logopedist, communicologist, voice therapist, voice pathologist, or any similar title or description of service.

(d) As used in this article, "speech-language pathology" means:

(1) The application of nonmedical and non-surgical principles, methods, and procedures for the measurement, testing, **prevention**, evaluation, prediction, counseling, instruction, habilitation, or rehabilitation, related to the development and disorders of speech, voice, or language for the purpose of **communications, swallowing, evaluating, preventing, ameliorating, or modifying such or other aerodigestive disorders. and conditions in individuals or groups of individuals.**

(2) The elective modification of communication behaviors.

(3) The enhancement of communication.

(e) As used in this article, "audiologist" means an individual who practices audiology and who presents himself to the public by any title or description of services incorporating the words audiologist, hearing clinician, hearing therapist, or any similar title or description of service.

(f) As used in this article, "audiology" means the application of nonmedical and non-surgical principles, methods, and procedures of measurement, testing, **prevention**, evaluation, prediction, consultation, counseling, instruction, habilitation, or rehabilitation related to hearing and of disorders of hearing, for the purpose of evaluating, identifying, preventing, ameliorating, or modifying such disorders and conditions in individuals or groups of individuals: **auditory function, balance, and other related systems.**

(g) As used in this article, "speech-language pathology aide" **support personnel** means an individual who meets **minimum the** qualifications which the board **may shall** establish for **the following:**

(1) Speech-language pathology aides. **which qualifications shall be less than those established by this article as necessary for licensure as a speech-language pathologist, and who works under the direct supervision of a licensed speech pathologist.**

(2) Speech-language pathology assistants who possess at least an associate degree in communication disorders or an equivalent degree.

(3) Speech-language pathology assistants who possess at least a bachelor's degree in communication disorders or an equivalent degree.

(h) As used in this article, "audiology aide" **"supervisor"** means an individual who: **meets minimum qualifications which the board may** establish for audiology aides; **which qualifications shall be less than**

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those established by this article as necessary for licensure as an audiologist, and who works under the direct supervision of a licensed audiologist.

(1) holds a license as a speech-language pathologist; and

(2) has been approved by the board to supervise speech-language pathology support personnel.

SECTION 4. IC 25-35.6-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. Nothing in this article shall be construed as preventing or restricting the following:

(1) A physician or surgeon from engaging in the practice of medicine in this state, or a person under the supervision and control of a physician or surgeon from conducting hearing testing, provided such a person is not called an audiologist.

(2) Any hearing aid dealer from engaging in the testing of hearing and other practices and procedures necessary for the business for which the dealer is registered in this state under IC 25-20-1.

(3) Any person licensed or registered in this state by any other law from engaging in the profession or occupation for which the person is licensed or registered.

(4) A person ~~who holds a valid and current credential as a speech-language or hearing specialist issued by the department of education, or a person employed as a speech-language pathologist or audiologist by the government of the United States, if such person performs speech-language pathology or audiology services solely within the confines or under the jurisdiction of the governmental or state educational organization by which the person is employed. However, such person may, without obtaining a license under this article, consult with or disseminate the person's research findings and other scientific information to speech-language pathologists and audiologists outside the jurisdiction of the organization by which the person is employed. Such person may also offer lectures to the public for a fee, monetary or other, without being licensed under this article. Such person may additionally elect to be subject to this article.~~

(5) The activities and services of persons pursuing a course of study leading to a degree in speech-language pathology at a college or university, if such activities and services constitute a part of a supervised course of study and that such person is designated speech-language pathology intern, speech-language pathology trainee, or by other such titles clearly indicating the training status appropriate to the person's level of training.

(6) The activities and services of a person pursuing a course of

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study leading to a degree in audiology at a college or university, if such activities and services constitute a part of a supervised course of study and such person is designated audiology intern, audiology trainee, or by any other such titles clearly indicating the training status appropriate to the person's level of training.

(7) The activities and services of persons fulfilling the clinical experience requirement of section 5(a)(5) of this chapter, if such activities and services constitute a part of the experience required for that section's fulfillment.

(8) The performance of pure tone air conduction testing by an industrial audiometric technician, as defined by federal law, who is working in an industrial hearing conservation program directed by a physician or an audiologist.

(9) The performance of speech-language pathology or audiology services in this state by any person not a resident of this state who is not licensed under this article, if such services are performed for no more than five (5) days in any calendar year and in cooperation with a speech-language pathologist or audiologist licensed under this article, and if such person meets the qualifications and requirements for application for licensure described in sections 5(a)(1) and 5(a)(2) of this chapter. However, a person not a resident of this state who is not licensed under this article, but who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by section 5 of this chapter or who is the holder of a certificate of clinical competence in speech-language pathology or audiology or its equivalent issued by a nationally recognized association for speech-language and hearing, may offer speech-language pathology or audiology services in this state for no more than thirty (30) days in any calendar year, if such services are performed in cooperation with a speech-language pathologist or audiologist licensed under this article.

SECTION 5. IC 25-35.6-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. To be eligible for licensure by the board as a speech-language pathologist or ~~audiologist~~, **as speech-language pathology support personnel**, a person must satisfy the following:

(1) Not have been convicted of a crime that has a direct bearing on the person's ability to practice competently.

(2) **For licensure as the following:**

(A) **A speech-language pathologist**, possess at least a master's degree or its equivalent in the area of speech-language

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pathology or audiology, as the case may be, from an educational institution recognized by the board.

(B) A speech-language pathology aide, possess at least a high school degree or an equivalent degree.

(C) An associate level speech-language pathology assistant, possess at least an associate degree in communication disorders or an equivalent degree.

(D) A bachelor's level speech-language pathology assistant, possess at least a bachelor's degree in communication disorders or an equivalent degree.

(3) Submit to the board transcripts from one (1) or more of the educational institutions described in subdivision (2) evidencing completion of at least eighteen (18) semester hours in courses providing fundamental information applicable to the normal development of speech, hearing, and language and at least forty-two (42) semester hours in courses providing information about and practical experience in the management of speech, hearing, and language disorders; and of these forty-two (42) semester hours:

(A) no fewer than six (6) shall be in audiology for a person applying for licensure in speech-language pathology;

(B) no fewer than six (6) shall be in speech-language pathology for a person applying for licensure in audiology;

(C) no more than six (6) shall be in courses providing academic credit for clinical practice;

(D) at least twenty-four (24); not including credits for thesis or dissertation requirements; shall be in the field for which the license is sought; and

(E) at least thirty (30) shall be in courses considered by the educational institution in which they are conducted as acceptable for application toward a graduate degree.

(4) Submit to the board evidence of the completion of at least three hundred (300) hours of supervised, direct clinical experience with a variety of communication disorders; which experience is received within the educational institution itself or a clinical program with which it cooperates.

(5) Submit to the board evidence of the completion of at least nine (9) consecutive months; at no less than thirty (30) hours per week; of clinical experience in the professional area (speech-language pathology and audiology) for which a license is sought. This requirement may also be fulfilled by part-time clinical experience as follows: fifteen (15) to nineteen (19) hours per week for

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1 eight (18) consecutive months; twenty (20) to twenty-four (24)
 2 hours per week for fifteen (15) consecutive months; or twenty-five
 3 (25) to twenty-nine (29) hours per week for twelve (12)
 4 consecutive months. The clinical experience must be under the
 5 direct supervision of and attested to in a notarized statement by a
 6 person licensed in the area (speech-language pathology or
 7 audiology) for which a license is being sought. Such clinical
 8 experience must additionally follow the completion of the
 9 requirements described in subdivisions (2), (3), and (4):

10 (6) Pass a written examination approved by the board: evidence
 11 of the academic and clinical experience requirements that are
 12 necessary for licensure under rules adopted by the board.

13 SECTION 6. IC 25-35.6-1-6 IS ADDED TO THE INDIANA CODE
 14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 15 1, 2005]: **Sec. 6. To be eligible for licensure by the board as an**
 16 **audiologist, a person must satisfy the following:**

17 (1) Not have been convicted of a crime that has a direct
 18 bearing on the person's ability to practice competently.

19 (2) Possess the following:

20 (A) For licensure before January 1, 2007, a master's or
 21 doctorate degree in audiology from an accredited
 22 educational program recognized by the board.

23 (B) For licensure after December 31, 2006, a doctorate
 24 degree in audiology from an accredited educational
 25 program recognized by the board.

26 (C) Submit to the board evidence of the academic and
 27 clinical experience requirements that are necessary for
 28 licensure under rules adopted by the board.

29 SECTION 7. IC 25-35.6-1-7 IS ADDED TO THE INDIANA CODE
 30 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 31 1, 2005]: **Sec. 7. (a) The professional standards board established**
 32 **by IC 20-1-1.4-2 may issue a credential to the following:**

33 (1) A speech-language specialist to an individual who is
 34 licensed as a speech-language pathologist under this article.

35 (2) A hearing specialist to an individual who is licensed as a
 36 audiologist under this article.

37 (3) A speech-language pathology aide to an individual who is
 38 licensed as a speech-language pathology aide under this
 39 article.

40 (4) An associate level speech-language pathology assistant to
 41 an individual who is licensed as an associate level
 42 speech-language pathology assistant under this article.

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(5) A bachelor's level speech-language pathology assistant to an individual who is licensed as a bachelor's level speech-language pathology assistant under this article.

(b) The professional standards board may not impose different or additional:

(1) supervision requirements; or

(2) continuing education requirements;

for an individual who receives a credential under this section than the requirements imposed under this article.

(c) An individual who receives a credential under this section and who holds;

(1) a certificate of clinical competence in speech-language pathology or audiology; or

(2) an equivalent certificate that is issued by a nationally recognized association for speech-language and hearing;

is considered to have the equivalent of a national certification issued by the National Board of Professional Teaching Standards and is entitled to the same benefits as a holder of a national certification issued by the National Board of Professional Teaching Standards.

SECTION 8. IC 25-35.6-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The board:

(1) shall administer, coordinate, and enforce this article;

(2) shall evaluate the qualifications and supervise the examinations of applicants for licensure under this article;

(3) may issue subpoenas, examine witnesses, and administer oaths; and

(4) shall, at its discretion, investigate allegations of practices violating this article, subject to IC 25-1-7.

(b) The board shall adopt rules under IC 4-22-2 relating to professional conduct commensurate with the policy of this article, including rules that establish standards for the competent practice of speech-language pathology and audiology. Following their adoption, the rules govern and control the professional conduct of every person who holds a license to practice speech-language pathology or audiology in this state.

(c) The board shall conduct the hearings and keep the records and minutes necessary for the orderly dispatch of its functions. The board shall have notice provided to the appropriate persons in a manner it considers appropriate of the times and places of all hearings authorized by this subsection. Approval by a majority of a quorum of the board is required for any action to be taken in actions for revocation or

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suspension of a license issued under this article.

(d) The board may adopt rules under IC 4-22-2 to:

- (1) administer or enforce this article;
- (2) register persons in the process of fulfilling the clinical experience required for a license under this article;
- (3) establish fees in accordance with IC 25-1-8-2; and
- (4) ~~register~~ **license** speech-language pathology **support personnel** and **register** audiology aides and establish rules governing the duties of **support personnel** and aides.

(e) The conferral or enumeration of specific powers elsewhere in this article shall not be construed as a limitation of the general functions conferred by this section.

SECTION 9. IC 25-35.6-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) ~~The board may waive the examination and grant licensure~~ **This section applies** to any applicant who presents proof of:

- (1) current licensure **in audiology** in another state, including the District of Columbia, or territory of the United States; ~~which maintains professional standards considered by the board to be equivalent to those set forth in this article; or~~
- (2) **practice as an audiologist under the authority and supervision of an agency of the federal government.**

(b) The board ~~may waive the examination and shall~~ grant licensure **in audiology** to any person **if:** ~~certified as clinically competent by a nationally recognized association for speech-language and hearing in the area for which such person is applying for licensure:~~

- (1) ~~the person's license or authority to practice was originally issued before January 1, 2007;~~
- (2) ~~the person possessed at least a master's degree in audiology before January 1, 2007;~~
- (3) ~~the board determines that the requirements for licensure in the other state, district, or territory or the practice under other authority are at least equivalent to those set forth in this article; and~~
- (4) ~~the applicant meets any other requirements the board establishes by rule.~~

SECTION 10. IC 25-35.6-3-5.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 5.2. Speech-language pathology support personnel may practice only under the direct supervision of a supervisor.**

SECTION 11. IC 25-35.6-3-8.1 IS ADDED TO THE INDIANA

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1 CODE AS A NEW SECTION TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2005]: **Sec. 8.1. An individual licensed under**
3 **this article shall display the individual's license or an official**
4 **duplicate of the license in a conspicuous place where the licensee**
5 **practices speech-language pathology or audiology.**

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